Addenda
Minnetonka City Council Meeting
Meeting of March 21, 2022

ITEM 12A – Ordinance Amending City Code Section 625 Regarding Tobacco Sales

The attached correspondence was received after distribution of the packet.

ITEM 14A – Concept plan for Minnetonka Woodland Preserve at 2511 and 2615 Plymouth Road

The attached correspondence was received after distribution of the packet.

ITEM 14B – Diversity, Equity and Inclusion

An updated membership list for the Diversity, Equity and Inclusion Task Force is attached. After the packet was distributed, one member resigned and another reaffirmed their commitment. This updated list reflects those changes.

Additionally, the attached comment was received after distribution of the packet.

CITY OF MINNETONKA
14600 Minnetonka Blvd. | Minnetonka, MN 55345 | 952-939-8200 | minnetonkamn.gov

TO: City Council

FROM: Julie Wischnack, AICP, Community Development Director

DATE: March 21, 2022

SUBJECT: Change Memo for March 21, 2022, City Council Meeting

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Item 12A – Ordinance Amending City Code Section 625 Regarding Tobacco Sales

The attached comments were received after the packet was distributed.

Item 14A – Concept Plan for Minnetonka Woodland Preserve

The attached comments were received after the packet was distributed.

From:	Fiona Golden
To:	Fiona Golden
Subject:	FW: Tobacco Sales Ordinance Comment
Date:	Monday, March 21, 2022 2:34:40 PM

From: Todd Ramsburg
Sent: Monday, March 21, 2022 12:17 PM
To: Brad Wiersum <bwiersum@minnetonkamn.gov>; Deborah Calvert <dcalvert@minnetonkamn.gov>; Kimberly Wilburn <kwilburn@minnetonkamn.gov>; Brian Kirk <bkirk@minnetonkamn.gov>; Rebecca Schack <rschack@minnetonkamn.gov>; Bradley Schaeppi <bschaeppi@minnetonkamn.gov>; Kissy Coakley <kcoakley@minnetonkamn.gov>
Cc: Mike Funk <mfunk@minnetonkamn.gov>
Subject: Amendments To City Code 625

Dear Mayor Wiersum and Members of the Minnetonka City Council,

My name is Todd Ramsburg and I am the co-owner of Cigar Jones, located at 17643 Minnetonka Boulevard. I am writing you to address my concerns regarding proposed amendments to City Code 625 regarding tobacco sales in the city of Minnetonka.

While preventing consumption of tobacco products by underage youth is a subject we can all agree on, I fear the proposed amendment fails to consider the distinct differences between Cigar Jones and the other five exclusive tobacco stores located within the City of Minnetonka. Cigar Jones does NOT SELL cigarettes, e-cigarettes, vape juice or its delivery devices, machine-made cigars or blunt wraps, smokeless tobacco, nicotine pouches, hookahs or shisha, glass pipes, rolling papers and other drug paraphernalia, CBD, kratom or Delta-8.

Cigar Jones exclusively sells premium hand-rolled cigars and traditional pipe tobacco. That's our business model and it hasn't changed in the 27 years we've been here.

This is not just a local issue. On March 10, 2022, the National Academies of Science, Engineering, and Medicine released its report Premium Cigars: Patterns of Use, Marketing, and Health Effects. Commissioned by the U.S. Food and Drug Administration and the National Institutes of Health, this 520-page report was drafted by a committee of 13 tobacco control scientists. This report is the first government-sponsored, in-depth examination of premium cigars.

The National Academies confirmed that premium cigars are distinct from all other tobacco products.

The report found that children do not smoke premium cigars and that adults enjoy premium cigars in moderation. The report explained that premium cigars are typically not inhaled, largely because the pH level of premium cigar tobacco is much higher than cigarette tobacco. Because of this, the report concluded that health effects of premium cigars are different from cigarettes and mass-market products. Indeed, the chair of the committee stated that the overall effect of premium cigars is 'probably modest.'"

When FDA decided to regulate premium cigars in 2016, it took a one-size-fits-all approach and applied the regulation developed for cigarettes to all other tobacco products, including premium cigars. Since then, retailers like Cigar Jones have been urging policymakers to recognize that premium cigars are different and should be treated differently. The National Academies report agreed and urged the government to create a formal definition of 'premium cigar' as a distinct class of products so that they are not grouped together with mass-market products.

Below are four relevant highlights from the report:

Finding 3-5. Premium cigar users are on average 7–10 years older than those who smoke cigarillos or little filtered cigars. Premium cigar use is uncommon among youth, and only 0.6 percent of those who reported smoking a premium cigar brand in the past 30 days were under the age of 18.

Finding 3-6. The frequency and intensity of smoking is lower for premium cigars compared to other types of cigars and cigarettes. Only about 5 percent of premium cigar users smoke these daily, whereas 22 percent of nonpremium cigar users, 19 percent of cigarillo users, 40 percent of filtered cigar users, and 76 percent of cigarette users smoke those products daily. The median number of cigars or cigarettes smoked per day is about 0.1 for premium cigars, 0.2 for nonpremium cigars, 0.3 for cigarillos, 1.0 for filtered cigars, and 10 for cigarettes.

Conclusion 5-4.There is insufficient evidence to determine if occasional or non-daily exclusive cigar use in general is associated with increased health risks.

Conclusion 5-5.There is strongly suggestive evidence that health consequences of premium cigar smoking overall are likely to be less than those smoking other types of cigars because the majority of premium cigar smokers are non-daily or occasional users and because they are less likely to inhale the smoke.

In closing, Cigar Jones has enjoyed our relationship with the City of Minnetonka for many years. Our customers (including many current and former city employees) have become our family. Cigar Jones is so much more than “one of six exclusive tobacco licensees”. It has become a community unto itself and, in my opinion, a small part of what makes Minnetonka special.

I thank you for your consideration.

Best regards,
Todd Ramsburg
Co-owner
Cigar Jones, Inc.

From: Fiona Golden
To: Fiona Golden
Subject: FW: Tobacco sales ordinance comment #2
Date: Monday, March 21, 2022 2:36:40 PM

From: Thomas Stockert
Sent: Sunday, March 20, 2022 10:17 AM
To: Kimberly Wilburn < >; Deborah Calvert <dcalvert@minnetonkamn.gov>; Brian Kirk <bkirk@minnetonkamn.gov>; Brad Wiersum <bwiersum@minnetonkamn.gov>
Cc: Rebecca Schack <rschack@minnetonkamn.gov>; Kissy Coakley <kcoakley@minnetonkamn.gov>; Bradley Schaeppi <bschaeppi@minnetonkamn.gov>; Mike Funk <mfunk@minnetonkamn.gov>
Subject: Agenda item 12.a

Good morning,

I'm writing about agenda item 12.a. Ordinance Amending City Code Section 625 Regarding Tobacco Sales.

My comments will be largely directed to Cigar Jones, which is the only cigar shop I frequent (weekly):

Where does one draw the line with schools (in Cigar Jones case an elementary school)?

Alcohol? Available across the street from Cigar Jones (small business).

Cigarettes? Available at Holiday (big business) and BP along with pork rinds, Doritos, hot dogs, corn dogs, soda, etc.

Lottery tickets? At Holiday and BP (again, closer to Groveland elementary).

Premium Cigars and Tobacco

Cigar Jones sells premium cigars and tobacco (pipe). They don't sell vapes. Were they to sell vapes, I'd find another premium cigar shop as the teller is often tied up with youth choosing their various flavors.

I'm usually among the youngest patrons (in my early 50's). Why not let the market regulate premium cigars fate? When we die of old age or quit smoking they'll close.

Here's a link about premium cigars in the event you're interested in more detail:

https://jcnewman.us19.list-manage.com/track/click?u=57bb6c487fe271ada7d283d9b&id=6347a8eda8&e=6ce869634b

In brief: "Today's report found that children do not smoke premium cigars and that adults enjoy premium cigars in moderation".

Tax base, moderation and online ordering

I could order my premium cigars online for at a significant discount even with ***voluntarily*** declaring taxes. However, I would smoke many more cigars. I prefer to limit myself to a few cigars a week. Smoking cigars help me unwind as it's often the only time my mind isn't on work or issues of the day.

The majority of the time I enjoy the cigars in the comfort of my own home.

Vacancies

The storefront next to Cigar Jones has been vacant for several months. Commercial sites are increasingly challenging to fill.

Small business vs. large business

The six exclusive tobacco stores are likely locally-owned small business (I know that's the case with Cigar Jones). Putting them out of business would likely only benefit large corporations (selling cigarettes and cheap (non-premium) cigars (glorified cigarettes) and drive many patrons to neighboring cities (even Minneapolis and St Paul) or online (with consumer voluntary tax reporting).

In Summary

There are many more points that could be made, though I only learned of this agenda item last night.

I strongly encourage the City Council to take these points into consideration and proceed accordingly.

Respectfully,

Tom Stockert
5524 Dominick Drive
Minnetonka, MN

From: Fiona Golden
To: Fiona Golden
Subject: Woodland Preserve Comment
Date: Monday, March 21, 2022 12:33:30 PM

From: Matt May
Date: March 15, 2022 at 4:34:50 PM CDT
To: Rebecca Schack <rschack@minnetonkamn.gov>
Subject: Rachel Development for Minnetonka Woodland Preserve.

Hi Rebecca-

I hope you are well! I live at 2620 Crescent Ridge Rd and will be impacted by the potential Minnetonka Woodland Preserve Development. Inline with other requests, I would like the Planning Commission require Charles Cudd to conduct a full environmental impact study to make sure we understand the impact, deny the request to rezone the area to a PUD due to the lack of public benefit, and require whatever development occurs conforms to the surrounding neighborhoods (larger lots etc) and area in general in terms of natural preservation and general quality of life. I addition, I did notice in the updated proposal that there was a 10ft buffer on the east side of the property, while that benefits some, that does not address a buffer on the SE Corner of the development which would be in my backyard.

Thank you,

Matt and Jessica May
2620 Crescent Ridge Rd.
Minnetonka, 55305

Timestamp	First Name	Last Name	Street Address	City	Zip Code	Phone	E-mail
2/24/2022 21:09:44	Steve	Borowsky	2630 Crescent Ridge Rd	Minnetonka	55305-2804		
2/25/2022 9:56:52	Jesse	Kibort	2531 Abbey Hill Drive	Minnetonka	55305		
2/25/2022 9:57:24	Yalda	Olcott	11705 Meadow Ln W	Hopkins	55305		
2/25/2022 9:58:15	Cally	Prunty	2741 Crescent Ridge Road	Minnetonka	55305		
2/25/2022 9:58:44	Katie	Stern	2830 Danbury Way	Minnetonka	55305		
2/25/2022 10:00:35	Andrew	Prunty	2741 Crescent Ridge Road	Minnetonka	55305-2809		
2/25/2022 10:01:53	Jamie	Heiligman	11829 meadow ln	Minnetonka	55305		
2/25/2022 10:01:57	Cody	Berra	2325 Rivendell Ln	Minnetonka	55305		
2/25/2022 10:05:45	Emily	Anthony	12610 Bent Tree Road	Minnetonka	55035		
2/25/2022 10:06:28	Greg	Anthony	12610 Bent Tree Road	Minnetonka	55305		
2/25/2022 10:07:36	Elissa	Light					
2/25/2022 10:11:12	Elizabeth	L'Heureux	2610 Crescent Ridge Road	Minnetonka	55305		
2/25/2022 10:12:08	Andre	L'Heureux	2610 Crescent Ridge Road	Minnetonka	55305		
2/25/2022 10:17:12	Jacey	Siedband	2621 Crescent Ridge Road	Minnetonka	55305		
2/25/2022 10:19:13	Dennis	Mulvey	2620 Sylvan Rd S	Minnetonka	55305		
2/25/2022 10:19:40	James	Pedersen	2500 Crescent Ridge Road	Minnetonka, MN	55305		
2/25/2022 10:30:34	Derek	Dorr	2641 Plymouth Road	Minnetonka	55305		
2/25/2022 10:31:30	Shana	Melendez	11658 Meadow Lane W	Minnetonka	55305		
2/25/2022 10:33:01	Iris	Borowsky	2630 Crescent Ridge Road	Minnetonka	55305		
2/25/2022 10:47:49	Richard	Bloomfield	9908 St. Johns Road	Minnetonka	55305		
2/25/2022 10:49:01	Ross	Paskoff	2485 Emerald Trail	Hopkins	55305-1910		
2/25/2022 11:03:34	Margaret Jane	Weissenborn	2740 Crescent Ridge Road	Minnetonka	55305		
2/25/2022 11:17:23	Joshua	Weiser	2607 Sylvan Rd S	Minnetonka	55305		
2/25/2022 11:18:58	Abby	Badzin	2515 Mayflower Ave.,	Minnetonka	55305		
2/25/2022 11:19:53	Marnie	Marmet	12111 Golden Acre Drive	Minnetonka	55305		
2/25/2022 11:23:55	Lucinda	Cummings	2633 Plymouth Rd	Minnetonka	55305		
2/25/2022 11:25:18	Robert	Segal	2633 Plymouth Rd	Minnetonka	55305		
2/25/2022 11:38:47	Wendy	Ringer	2711 Bent Tree Circle	Mtka	55305		
2/25/2022 11:39:23	Jeff	Ringer	2711 Bent Tree Circle	Mtka	55305		
2/25/2022 11:43:18	Michelle	Goldstein	2510 Crescent Ridge Road	Minnetonka	55305		
2/25/2022 12:11:28	Jason	Marx	2651 Crescent Ridge Road	Minnetonka	55305		
2/25/2022 12:14:25	Julie	Engle	12212 Westridge Lane	Minnetonka	55305		
2/25/2022 12:37:19	Lauren	Weiser	2607 Sylvan Rd S	Minnetonka	MN		
2/25/2022 12:55:01	Julie	Burton	11482 Cedar Pass	Minnetonka	55305		
2/25/2022 12:58:38	Nina	Badzin	2600 Crescent Ridge Road	Minnetonka	55305		
2/25/2022 15:19:28	Jona han	Eisenberg	2721 Bent Tree Circle	Minnetonka	55305-3804		
2/25/2022 15:40:40	Judy	Mulvey	2620 Sylvan Road S	Minnetonka	55305		
2/25/2022 19:56:24	John	Drewitz	2600 Sylvan Road S	Minnetonka	55305		
2/25/2022 22:45:12	Elizabeth	Isaacson	12711 Bent Tree Road	Minnetonka	55305		
2/26/2022 7:06:54	Steven	Tuschman	12620 Bent Tree Road	Minnetonka	55305		
2/26/2022 8:01:49	Bard	Borkon	12212 Orchard Ave W	Minnetonka	55305		
2/26/2022 9:27:40	Pamela	Rients Tuschman	12620 Bent Tree Road	Minnetonka	55305		
2/26/2022 12:17:23	Sara	Memmen	4779 Coventry Rd W	Minnetonka	55345		
2/26/2022 12:19:39	Robert	Memmen	4779 Coventry Rd W	Minnetonka	55345		
2/26/2022 13:06:38	Maureen	Drewitz	2600 Sylvan Rd S	Minnetonka	55305		

Timestamp	First Name	Last Name	Street Address	City	Zip Code	Phone	E-mail
2/26/2022 18:27:34	Carrie	Bloomfield	9908 st. Johns Road	Minnetonka	55305	[redacted]	
2/27/2022 14:41:25	Patty	Chodosh	2520 crescent ridge rd	Minnetonka	55305	[redacted]	[redacted]
2/27/2022 15:05:20	Margareth	Pierre-Louis	2731 Crescent Ridge Road	Minnetonka	55305	[redacted]	
2/27/2022 15:06:08	Mark	Chodosh	2520, Crescent Ridge Road	Minnetonka	55305	[redacted]	[redacted]
2/27/2022 15:06:26	Graham	Gaya	2731 Crescent Ridge Road	Minnetonka	55305	[redacted]	
2/27/2022 16:00:48	Jessica	May	2620 crescent ridge rd	Minnetonka	55305	[redacted]	
2/27/2022 16:31:27	Restor	Johnson	2700 CRESCENT RIDGE ROAD	MINNETONKA	55305	[redacted]	
2/27/2022 16:32:05	Sally	Johnson	2700 CRESCENT RIDGE ROAD	MINNETONKA	55305	[redacted]	
2/27/2022 16:40:55	Bob	Cohen	2640 Sylvan Rd S	Mtka	55305	[redacted]	
2/27/2022 16:52:57	Matt	May	2620 Crescent Ridge Rd	Minnetonka	55305	[redacted]	
2/27/2022 18:44:53	Allison	Gelfman	12420 Bent Tree Lane	Minnetonka	55305	[redacted]	
2/27/2022 19:37:05	Emily	Pickar	2530 Crescent Ridge Road	Minnetonka	55305	[redacted]	
2/27/2022 19:37:54	Taylor	Pickar	2530 Crescent Ridge road	Minnetonka	55305	[redacted]	
2/27/2022 19:38:47	Jill	Schwab				[redacted]	
2/27/2022 19:46:54	Robin	Engelso	2720 Crescent Ridge Rd	Minnetonka	55305	[redacted]	[redacted]
2/27/2022 20:00:00	Nancy	Fink	11530 Cedar Pass	Hopkins	55305	[redacted]	
2/28/2022 8:08:50	Sarah	Norsted	2640 SYLVAN RD S	Minnetonka	55305	[redacted]	
2/28/2022 10:24:15	Samantha	Tuschman	12620 Bent Tree Rd	Minnetonka	55305		
2/28/2022 10:52:00	McKenna	Ahlm	9610 Sandra La	Minnetonka	55305	[redacted]	
2/28/2022 19:34:57	Emma	Nigon	12401 Bent Tree Ln.	Minnetonka	55305	[redacted]	
2/28/2022 20:01:33	Deb	Stein	2461 Emerald Trail	Minnetonka	55305	[redacted]	
2/28/2022 20:02:06	Michael	Stein	2461 Emerald Trail	Minnetonka	55305	[redacted]	
2/28/2022 22:51:27	Kay	Goldstein	2110 Austrian Pine Lanr	Minnetonka	55305	[redacted]	
3/1/2022 8:35:14	Lorraine	LaRoy	2701 Crescent Ridge Rd	Minnetonka	55305	[redacted]	
3/1/2022 8:36:17	James	LaRoy	2701 Crescent Ridge Rd	Minnetonka	55305	[redacted]	
3/1/2022 9:59:15	Gary	Ahlm	9610 Sandra lane	Minnetonka	55305	[redacted]	
3/1/2022 13:35:05	Mary	Idzik	2710 Bent Tree Cir	Minnetonka	55305	[redacted]	
3/1/2022 19:56:19	Samuel	Segal	2633 Plymouth Rd	Minnetonka	55305	[redacted]	[redacted]
3/2/2022 15:50:49	Paul	Idzik	2710, Bent Tree Circle	Minnetonka	55305	[redacted]	
3/2/2022 18:16:56	Gaven	Dorr	2647 Plymouth Road	Minnetonka	55305	[redacted]	
3/2/2022 18:17:41	Aydin	Dorr	2647 Plymouth Road	Minnetonka	55305	[redacted]	
3/3/2022 7:59:56	John	Bonczyk	2550 Crescent Ridge Rd	Minnetonka	55305	[redacted]	[redacted]
3/3/2022 8:01:05	Cynthia	Bonczyk	2550 Crescent Ridge Rd	Minnetonka	55305	[redacted]	[redacted]
3/3/2022 15:45:27	Bryan	Badzin	2600 Crescent Ridge Road	Minnetonka	55305	[redacted]	
3/3/2022 15:57:53	Jesse	Kibort	2531 Abbey Hill Drive	Minnetonka	55305	[redacted]	
3/3/2022 15:58:17	Michael	Goodman	2601 Crescent Ridge Rd.	Minnetonka	55305	[redacted]	
3/3/2022 16:06:43	Gary	Ahlm	9610 Sandra Lane	Minnetonka	55305	[redacted]	
3/3/2022 16:16:38	Michael	Farber	11025 Joy Lane	Minnetonka	55305	[redacted]	
3/3/2022 16:23:41	Josh	Schulman	4315 Avondale St	Minnetonka	55345	[redacted]	
3/3/2022 16:30:45	Lauren	Weiser	2607 sylvan rd s	Minnetonka	55305	[redacted]	[redacted]
3/3/2022 17:13:01	Sara	Schulman	4315 Avondale Street	MInnetonka	55345	[redacted]	
3/3/2022 18:44:54	Nancy	Fink	11530 Cedar Pass	Minnetonka	55305	[redacted]	
3/3/2022 19:27:29	Aaron	Goldstein	2510 crescent ridge road	Minnetonka	55305	[redacted]	
3/4/2022 8:39:23	Tanya	Farber	11025 Joy Lane	Minnetonka	55305	[redacted]	[redacted]
3/4/2022 10:42:28	Dana	Provus	11805 Meadow Ln w	Minnetonka	55305	[redacted]	

Timestamp	First Name	Last Name	Street Address	City	Zip Code	Phone	E-mail	
3/10/2022 10:02:07	Sarah	Norsted	2640 SYLVAN RD S	Minnetonka	55305	[redacted]		
3/16/2022 11:35:04	Michael	Sudit	2308 RIVENDELL LN	HOPKINS	55305-2800	[redacted]		

CITY OF MINNETONKA

14600 Minnetonka Blvd. | Minnetonka, MN 55345 | 952-939-8200 | minnetonkamn.gov

TO: City Council

FROM: Moranda Dammann, Acting Assistant City Manager

DATE: March 21, 2022

SUBJECT: Change Memo for March 21, 2022, City Council Meeting

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Item 14B – Diversity, Equity and Inclusion

Staff was notified by a task force community member of their request to resign from the group, whilst another reaffirmed their commitment after the original packet was distributed. The updated regrouped task force includes the following community members:

- Mary Pat Blake
- Rickey Brown
- Dr. Tyronne Carter
- Dr. Nerita Hughes
- Elena Imaretska
- Sandy Johnson
- Mary Pat Noonan
- Rabbi David Locketz
- Karyn Sciortino-Johnson

In addition, the attached comment was received after distribution of the packet.

From: minnetonkamn@minnetonkamn.gov
Sent: Monday, March 21, 2022 4:43 PM
To: Kyle Salage <ksalage@minnetonkamn.gov>
Subject: *NEW SUBMISSION* City council and EDA email comments

City council and EDA email comments

Submission Date: 03/21/2022 4:43

Name

Daniel Kral

Full Address

3532 Tonkawood Rd
n/a
Minnetonka, Minnesota 55345
USA

Phone

[redacted]

Email

[redacted]

City Council, EDA or LBAE

City Council

Meeting date

March 21, 2022

Agenda item

14B Diversity Equity, and Inclusion

Comment

Comment #1 - The "Shared Vision" as put forth by Turnlane is language that is not workable as a stated goal. "We will foster a more inclusive and equitable Minnetonka by rooting out bias, intolerance, and racism wherever it exists in our community." There was talk about not being able to root out bias at the Study session and in the comments, but there is nothing of how to "root out" intolerance and racism" - those may be idealistic goals, but it needs to be put in practical steps. If taken to its ludicrous end - you could put covenants on property deeds stating the property can not be sold to anyone with intolerance or racism. Do you think you can legislate who people are? How do you define intolerance? How do you define racism? Who is the judge? Who is the jury? Who can make an accusation? Who follows up on that accusation? It seems like this is could be the making of a police state. I would urge the council NOT to approve this language and to go back to the drawing board to come up with language that is workable. Comment #2 - How can we as a community be working with a Consulting group who states in the "What we believe" section of their web site "We partner, by leveraging our shared humanity, with teams and organizations that feel an urgency to equitably redistribute wealth, opportunities, and privileges." How can the City of Minnetonka engage a company with these stated beliefs. Turnlane want to work with groups that "feel an urgency for redistribution of wealth, opportunities, and privileges" is that really a goal of the City of Minnetonka? i certainly hope not. I would urge the Council to end the relationship with Turnlane as they do not line up with who we are as a community. Respectfully and humbly submitted, Daniel Kral